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By ECF and By Hand

June 17, 2014

The Honorable William J. Martini
United States District Judge
Martin Luther King Building
& U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: *United States of America v. Edward De Sear, 12-cr-553*

Your Honor:

I am the Assistant United States Attorney for the Financial Litigation Unit, responsible for the enforcement and collection of criminal monetary judgments. On December 23, 2013, judgment was entered against Mr. De Sear, requiring payment of a fine and restitution. Mr. De Sear paid the restitution and fine in full and a satisfaction of judgment was entered on the docket on April 2, 2014.

As Your Honor is aware, restitution in the amount of \$1.1 million was ordered paid to victim D.N. – a minor. Victim D.N. was represented by counsel, Mr. Andrew Ritholz. Those funds have not yet been paid to victim D.N., as the funds also resolved a civil action and were subject to a civil state court approving the compromise involving the minor. The state court Order approving the compromise was entered on May 19, 2014, and directs \$917,364.08 to an annuity fund established for the minor victim, \$165,000 for attorney's fees to the victim's attorney and \$17,635.92 to pay off a Medicaid lien. The parties therefore request that this Court endorse the attached Order directing the Clerk of Court to distribute the \$1.1 million restitution funds currently held by the Clerk of Court in accordance with the referenced state court order. In order to protect and maintain the privacy of victim D.N., the state court order, with victim and address information, will be provided separately to the Clerk's office. All parties have consented to this request. This shall fully resolve the restitution payments due to D.N. with respect to this case.

Respectfully submitted,

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S/Leah A. Farrell

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Clerk's Office
District of New Jersey

***UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY***

UNITED STATES OF AMERICA

v.

EDWARD DE SEAR,

Defendant.

Criminal No. 12-CR-553

ORDER

Whereas defendant Edward De Sear was ordered to pay restitution in the amount of \$1.1 million to victim D.N. pursuant to the restitution judgment, and where payment has been made in full to the Clerk of Court; and

Whereas a state court Order has been entered resolving the allocation of the distribution of the funds to the minor victim; and

Whereas, all parties consent thereto;

For good cause shown, it is on this day of , 2014

Ordered that the Clerk of Court shall distribute \$1.1 million in funds to victim D.N. as set forth in the state court Order approving compromise of judgment for minor. Specifically, one check in the amount of \$182,635.92 shall be made payable to “Trust Fund Account, Andrew N. Ritholz” and sent to Law Offices of Andrew Ritholz, 3452 E. Foothill Blvd., Ste. 740, Pasadena, CA 91107 for attorney’s fees (\$165,000) and costs and for payment on the Medicaid lien (\$17,635.92). A second check for \$917,364.08 shall be made payable to “BGH Structured Settlements” and sent to Galaher Settlements & Insurance Services, Inc., Attn: Patricia Vierling, 1200 Bell Lane, Suite B, New Albany, IN 47150.

The state court Order shall be provided under separate cover to the Clerk of Court in order to maintain and protect the identity of the minor victim.

SO ORDERED:

WILLIAM J. MARTINI
UNITED STATES DISTRICT JUDGE
UNITED STATES DISTRICT COURT